

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Liliana Manuel	Team: Squad #3	CCRB Case #: 201501687	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 03/06/2015 4:30 PM	Location of Incident: Rockaway Avenue and Belmont Avenue	Precinct: 73	18 Mo. SOL 9/6/2016	EO SOL 9/6/2016	
Date/Time CV Reported Tue, 03/10/2015 11:16 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 03/10/2015 11:16 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POF Katrina Pringle	18935	935536	073 PCT
2. POM Gary Allen	17926	933601	073 PCT
3. SGT Beatrice Shafidiya	04079	939456	073 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Beatrice Shafidiya	Abuse: Sgt Beatrice Shafidiya threatened to arrest § 87(2)(b)	
B.POM Gary Allen	Abuse: PO Gary Allen refused to provide his name and/or shield number to § 87(2)(b) and § 87(2)(b)	
C.POF Katrina Pringle	Abuse: PO Katrina Pringle refused to provide her name and/or shield number to § 87(2)(b) and § 87(2)(b)	

### Case Summary

On March 10, 2015, § 87(2)(b) filed the following complaint with the CCRB via the intake line (Board review 04). On March 6, 2015, at approximately 4:30 p.m., § 87(2)(b) was walking down Rockaway Avenue near Belmont Avenue in Brooklyn. With her were her fiancé, § 87(2)(b) and their two children. § 87(2)(b) § 87(2)(b) a woman who had assaulted § 87(2)(b) years prior, followed § 87(2)(b) and attempted to reach over § 87(2)(b)'s stroller to attack her. She sprayed perfume in § 87(2)(b)'s eyes. § 87(2)(b) saw a marked RMP driving down the street and ran into the street to stop the RMP. PO Gary Allen and PO Katrina Pringle of the 73<sup>rd</sup> Precinct got out of the RMP and spoke with § 87(2)(b) and § 87(2)(b) § 87(2)(b) daughters arrived, and were yelling threats and obscenities at § 87(2)(b) and § 87(2)(b).

A crowd began to gather, and so PO Allen requested additional units. § 87(2)(b) asked the officers to run § 87(2)(b) § 87(2)(b) license to see that there was a warrant out for her arrest. The officers refused to do so and refused to take a report. PO Pringle told § 87(2)(b) that she would only arrest § 87(2)(b) § 87(2)(b) if § 87(2)(b) was arrested as well, as they both were involved in the altercation (**Allegation A**). At the conclusion of the incident, § 87(2)(b) asked PO Allen for his name and shield number. PO Allen did not respond, and both he and PO Pringle zipped up their jackets, covering their shields (**Allegation B**). § 87(2)(b) then asked for PO Pringle's name and badge number. PO Pringle may have stated her name, but did not state her badge number (**Allegation C**). § 87(2)(b) encountered PO Pringle later that day at the 73<sup>rd</sup> Precinct Stationhouse. She again asked PO Pringle for her name and badge number. PO Pringle again only stated her name.

Case number 201502000 was generated and referred to the Office of the Chief of Department in regards to officers refusing to file a report of the incident.

### Mediation, Civil and Criminal Histories (Board review 05; 06; 07)

- § 87(2)(b) was quite hurt by the officers' actions and how they handled the situation. § 87(2)(b) did not want to risk receiving the same treatment she received during the incident and therefore rejected mediation.
- As of April 3, 2015, neither § 87(2)(b) nor § 87(2)(b) had filed a Notice of Claim with the City of New York with regard to this incident.
- § 87(2)(b)  
§ 87(2)(b)  
§ 87(2)(b)

### Civilian and Officer CCRB Histories (Board review 01; 02; 03; 13)

- § 87(2)(b)  
§ 87(2)(b)
- Sgt Shafidiya has been a member of service for 9 years, has had four previous CCRB allegations involving three cases with no substantiated allegations. One of these cases involving two allegations is ongoing. § 87(2)(g)  
§ 87(2)(g)
- PO Allen has been a member of service for 11 years and has had one previous CCRB allegation involving one case. § 87(2)(g)  
§ 87(2)(g)
- PO Pringle has been a member of service for ten years, has had two previous CCRB allegations involving one case with no substantiated allegations. § 87(2)(g)  
§ 87(2)(g)

### Potential Issues

§ 87(2)(b) filed this complaint on March 10, 2015, and was scheduled to be interviewed on March 19, 2015. § 87(2)(b) provided a phone statement on March 12, 2015, and agreed to be interviewed on March 19, 2015, as well. On March 19, 2015, § 87(2)(b) cancelled her and § 87(2)(b)'s interviews due to an injury § 87(2)(b) had sustained, and § 87(2)(b)'s unwillingness to come to the CCRB alone. § 87(2)(b) provided a phone interview on April 3, 2015. § 87(2)(b) did not respond to subsequent contact attempts and therefore did not provide a sworn statement to the CCRB.

### Findings and Recommendations

#### Allegations Not Pleaded

- Refusal to provide shield number: § 87(2)(b) provided a phone statement on March 12, 2015, during which he stated that at one point in the incident he was surrounded by approximately thirty officers, including PO Allen and PO Pringle. § 87(2)(b) asked all of the officers for their shield numbers. PO Allen and PO Pringle zipped up their jackets, covering their shields, and all of the officers turned around and left. § 87(2)(b) did not hear § 87(2)(b) request officers' badge numbers, and § 87(2)(b) did not provide a sworn statement to the CCRB. Therefore, an allegation of refusal to provide shield number to § 87(2)(b) has not been pleaded.

#### Recommendations

##### Allegation A – Sgt Shafidiya threatened to arrest § 87(2)(b)

§ 87(2)(b) provided a sworn statement to the CCRB on April 3, 2015. § 87(2)(b) informed the officers that § 87(2)(b) was following her and had just sprayed her eyes with perfume. She begged PO Pringle and PO Allen to conduct a warrant check on § 87(2)(b) so they would see that there was a warrant out for her arrest and consequently arrest her. The officers denied witnessing § 87(2)(b) spray § 87(2)(b) and refused to do a warrant check. PO Pringle told § 87(2)(b) that she could only arrest § 87(2)(b) if § 87(2)(b) was arrested as well, as they were both involved in the altercation and both were arguing. § 87(2)(b) did not allege this threat of arrest.

PO Allen was interviewed at the CCRB on May 5, 2015, and claimed when § 87(2)(b) ran to the RMP to flag down the officers, § 87(2)(b) followed and ran to the RMP as well. PO Allen addressed § 87(2)(b) while PO Pringle addressed § 87(2)(b) and § 87(2)(b). § 87(2)(b) and § 87(2)(b) were arguing, yelling and cursing at each other. PO Allen had difficulty determining what exactly the issue was. PO Allen stated that § 87(2)(b) was not doing anything for which she could have been arrested and denied hearing an officer threaten to arrest her.

PO Pringle provided a sworn statement on May 5, 2015, and stated that § 87(2)(b) flagged down the RMP, claiming that § 87(2)(b) had done something to her. § 87(2)(b) then approached the RMP as well and spoke with PO Allen while PO Pringle spoke with § 87(2)(b) and § 87(2)(b) were yelling and cursing. PO Pringle had trouble understanding what the issue was over the commotion of the crowd that had formed, but recalled § 87(2)(b) saying that § 87(2)(b) had been following her. She denied threatening to arrest § 87(2)(b) and did not hear another officer do so. She did not believe § 87(2)(b) was doing anything for which she could have been arrested.

Sgt Beatrice Shafidiya was interviewed on May 5, 2015. She responded to the request for backup and arrived after PO Allen and PO Pringle. When she arrived, the officers told her that § 87(2)(b) and § 87(2)(b) and her family were arguing. Sgt Shafidiya observed both parties yelling at each other. § 87(2)(b) told Sgt Shafidiya that § 87(2)(b) instigated the

dispute, and § 87(2)(b) alleged that § 87(2)(b) had approached her first and sprayed her with perfume. § 87(2)(b) insisted that police action be taken. Sgt Shafidiya informed § 87(2)(b) that the only thing she could do if § 87(2)(b) wanted police action to be taken, would be to arrest both § 87(2)(b) and § 87(2)(b) as they both were yelling and arguing with each other. Sgt Shafidiya also informed both § 87(2)(b) and § 87(2)(b) that they could have been arrested for disorderly conduct, as they were yelling, cursing, and causing a crowd to form.

§ 87(2)(b), § 87(2)(g)

**Allegation B – PO Gary Allen refused to provide his name and/or shield number to § 87(2)(b)**

**Allegation C – PO Katrina Pringle refused to provide her name and/or shield number to**

§ 87(2)(b)

§ 87(2)(b) alleged that after § 87(2)(b) and most of the officers had left, she stood near an RMP with PO Allen, PO Pringle, Sgt Shafidiya, and an unknown officer, PO1, who § 87(2)(b) was unable to describe. § 87(2)(b) asked PO Allen for his name and shield number. He was standing approximately one to two feet away from her, and she believes that he heard her. PO Allen either did not respond or told § 87(2)(b) that he did not have to provide his information to her. When he saw her looking at his badge, he zipped up his jacket, covering his shield, and walked around the RMP. She managed to read the name, “Allen” from his shield. PO Pringle then zipped up her sweater, covering her badge as well, and proceeded into the RMP. § 87(2)(b) asked for her name and shield number as well. PO Pringle began to roll up her window, and may have stated her name while doing so, but § 87(2)(b) was unable to clearly hear the name. § 87(2)(b) told PO Pringle that she did not hear her, but PO Pringle fully rolled up the window and the officers drove away. In § 87(2)(b)'s original statement she claimed that upon request, PO Pringle shouted out “Pringle!” before leaving the scene. § 87(2)(b) was unsure if she heard her correctly. § 87(2)(b) explained that she confirmed PO Pringle’s name later that day, when she encountered her at the 73<sup>rd</sup> Precinct Stationhouse and requested her name again.

PO Pringle stated that § 87(2)(b) did not ask for her name or shield number while on Belmont Avenue and Rockaway Avenue. She did not hear § 87(2)(b) ask any other officers to provide their information. She denied wearing a sweater, and stated that her shield would be on her outermost garment. PO Pringle confirmed that she provided her name to § 87(2)(b) at the 73<sup>rd</sup> Precinct stationhouse.

PO Allen also stated that § 87(2)(b) did not ask for his name or shield number, and he did not hear her ask any other officers for such information. PO Allen denied wearing a jacket, but added that his shield would have been on his outermost garment. As stated earlier, PO Allen denied having any conversation with § 87(2)(b). Sgt Shafidiya did not recall hearing § 87(2)(b) ask for any officers’ names or shield numbers. Sgt Shafidiya was dropped off at the scene

by officers who then left. As the crowd dispersed she instructed officers to leave. She could not recall who were among the last officers to leave.

NYPD Patrol Guide Procedure 203-09 states that an officer is to courteously and clearly state his or her name and shield number upon request, or otherwise provide it to the individual requesting the information (Board review 12).

§ 87(2)(b), § 87(2)(g)

[REDACTED]

Pod: \_\_\_\_\_

Investigator:	_____	_____	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date